REMARKS

Claims 8, and 43-48, 50-55, 57-63, and 65 remain in this application. Claims 1-7, 9-42, 49, 56, and 64 have been canceled without prejudice. Claims 43, 50, and 58 have been amended. No new matter has been added. Reconsideration is respectfully requested.

Claim 43 was rejected under 35 U.S.C. §103(a) over "Coverability Analysis Using Symbolic Model Checking" by Ur et al. (Ur) in view of "Unreachable Procedures in Object-Oriented Programming" by Srivastava. Claims 50 and 58 were rejected under 35 U.S.C. §103(a) over Ur and Srivastava, and further in view of prior art of record U.S. Patent 6,484,134 to Hoskote. Applicant has amended independent claims 43, 50, and 58 in order to clarify the distinction of the present invention over the cited art. Amended claims 43, 50, and 58 respectively incorporate the limitations of dependent claims 49, 56, and 64, which have been canceled. Applicant respectfully requests that the amendment be entered, notwithstanding the present final rejection, since the Examiner has already searched the subject matter of claims 49, 56, and 64, and the amendment will put the claims in condition for allowance or, at the least, in better condition for appeal.

Claim 49 was rejected under 35 U.S.C. §103(a) over Ur and Srivastava, and further in view of "PC-lint" by Gimbel

Software. Applicant respectfully disagrees with this rejection.

In article 8, with respect to claim 49, the Examiner states:

> "Ur and Srivastava do not expressly disclose: *wherein the set of uncoverable elements comprises elements having an unused enumerated value.* However, PC-lint teaches that (sic) unused enumerations."

Even if PC-lint may be taken to describe unused enumerations, however, this publication does not relate to unused enumerated values at all, let alone <u>uncoverable elements in the form of unused enumerated values</u>, as is now recited in claims 43, 50 and 58. There is nothing in either PC-lint or in the other cited publications that would have led a person of ordinary skill in the art to interpolate the unused enumerations of PC-lint into the uncoverable elements of Ur in order to arrive at the combination of features now recited in claims 43, 50 and 58.

The cited article by PC-lint is entitled "Weak Definial Checking," and concerns headers. In its introduction, the article explains that the word 'definial' "means simply that which is defined (paragraph 2, page 1)." The introduction to the article describes weak definials as compile-time entities that are "normally placed into headers (paragraph 3, page 1)." The introduction further explains the checking referred to in the title of the article: "To determine whether

a header is unused or not depends upon whether any of its weak definials have been used (paragraph 3, page 1)."

The listing of the weak definials given by the article includes "struct, union and enum definitions and members (paragraph 1, page 1, emphasis added)."

However, the phrase "enum definitions and members" used by PC-lint, and which the Examiner has interpreted as enumerations, refers to headers, which in turn reference files. The relationship between headers and files is clear from the following statement in PC-lint, at the beginning of a section entitled "Unused Headers":

> "Whether a header is used or not depends
> on whether any of its definials have been
> used by any file other than itself or the
> set of files in the same group (last
> paragraph, page 1)."

In contrast to PC-lint, claim 43 recites " … elements having an unused enumerated value." The recited enumerated values are values of variables. Since the unused enumerations referenced by the Examiner are at best headers corresponding to files, they cannot have values. Careful inspection of the whole of PC-lint shows references to headers/files, but no mention or suggestion of enumerating any sort of values. Thus, PC-lint cannot be considered to relate to unused enumerated values, as is required by claim 43.

In rejecting other claims the Examiner cited U.S. Patent 6,463,581 to Bacon et al., "Coverage and Advanced

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Testing' by Nicholls, and "Compilers: Principles, Techniques, and Tools, Section 10.2" by Aho et al. Careful search of all of these citations gives no suggestion whatsoever of unused enumerated values, as is required by claim 43.

Thus, none of the cited art hints or suggests the limitation recited in claim 43: wherein the set of uncoverable elements comprises elements having an unused enumerated value. Applicant therefore believes that claim 43 is patentable over the cited art.

The Examiner rejected dependent claims 56 and 64 under U.S.C. §103(a) over Ur and Srivastava, and over Hoskote, and further in view of PC-lint, for similar reasons to those cited for claim 49. For similar reasons to those argued above with respect to claim 43, applicant believes that claims 50 and 58, which incorporate the limitations of claims 56 and 64, are patentable over the cited art.

Claims 8, 45 and 46 were rejected under U.S.C. §103(a) over Ur and Srivastava; claim 44 was rejected under U.S.C. §103(a) over Ur and Srivastava, and further in view of the "Background of the Invention" (BOTI); claim 47 was rejected under U.S.C. §103(a) over Ur and Srivastava, and further in view of Aho; claim 48 was rejected under U.S.C. §103(a) over Ur and Srivastava, and further in view of PC-lint. Claims 52, 53, 57, 58, 60, 61, and 65 were rejected under U.S.C. §103(a) over Ur and Srivastava, and further in

view of Hoskote; claims 51 and 59 were rejected under U.S.C. §103(a) over Ur, Srivastava, and Hoskote, and further in view of BOTI; claims 54 and 62 were rejected under U.S.C. §103(a) over Ur, Srivastava, and Hoskote, and further in view of Aho; claims 55 and 63 were rejected under U.S.C. §103(a) over Ur, Srivastava, and Hoskote, and further in view of PC-lint. Claims 8, 44-48, 51-55, 57, 59-63, and 65 depend from one of claims 43, 50, and 58. In view of the patentability of claims 43, 50 and 58, claims 8, 44-48, 51-55, 57, 59-63, and 65 are also believed to be patentable.

Applicant believes that the above amendments and remarks are fully responsive to all of the objections and grounds of rejection raised by the Examiner. In view of these amendments and remarks, applicant respectfully submits that all of the claims currently pending in the present application are in order for allowance. Notice to this effect is respectfully requested.

Respectfully submitted,

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